

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOHN WISE,

Plaintiff,

v.

STATE OF WASHINGTON DEPARTMENT
OF CORRECTIONS, *et al.*,

Defendants.

Case No. C05-5810 FDB/KLS

ORDER DENYING PLAINTIFF'S
MOTION TO COMPEL DISCOVERY
AND MOTION FOR EXTENSION OF
TIME TO FILE REPLY

This 42 U.S.C. § 1983 civil rights action has been referred to United States Magistrate Judge Karen L. Strombom pursuant to Title 28 U.S.C. §§ 636(b) and Local MJR 3 and 4. Plaintiff has filed a motion to compel discovery. (Dkt. # 43). Plaintiff has also filed a motion for extension of time within which to file a reply to Defendants' response to his motion to compel. (Dkt. # 46).

Pursuant to Rule 37(a)(2)A) of the Federal Rules of Civil Procedure, a party moving to compel discovery must "include a certification that the movant has in good faith conferred or attempted to confer with the party not making disclosure in an effort to secure the disclosure without court action." Plaintiff's motion does not include such a certification. Nor has Plaintiff attempted to confer with Defendants' about his discovery requests. (Dkt. # 45). The Court will not consider any motion to compel before the parties have made a good faith effort to resolve their discovery disputes and indicate to

1 the Court that they have done so.

2 Accordingly, Plaintiff's motion to compel (Dkt. # 53) is **DENIED** and Plaintiff's motion for an
3 extension of time to file a reply to Defendants' response to his motion to compel (Dkt. # 46) is **DENIED**
4 **as moot.**

5 The Clerk is directed to send a copy of this Order to Plaintiff and counsel for Defendants.

6 DATED this 4th day of April, 2007.
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10 Karen L. Strombom
11 United States Magistrate Judge
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